

CITY OF TALLAHASSEE

Attachment # 2
Page 1 of 8

CITY COMMISSION AGENDA ITEM

ACTION REQUESTED ON: June 11, 2003

SUBJECT/TITLE: Introduction of Ordinance #03-O-34 Summer Chase/Gearhart
Road Voluntary Annexation

TARGET ISSUE: N/A

STATEMENT OF ISSUE

The owner of one parcel (Tax ID #2117204090000) containing approximately 9 acres, located north of Gearhart Road and west of Mission Road, has petitioned for annexation into the City. This property is adjacent to a larger parcel recently annexed into the City and is part of the Huntington Woods DRI. The owner plans to construct high-density residential units on the property.

The City Attorney has determined that the area fully qualifies under the statutory requirements of Florida Statutes, Chapter 171.

A copy of the proposed annexation was provided to Leon County Board of Commissioners at the time that it was distributed to the City Commission.

RECOMMENDED ACTION

Option 1: Hold the public hearing and pending no objections from the Leon County Board of Commissioners at the June 24 meeting, approve Ordinance #03-O-34 effective June 26, 2003. The City Commission, by this action would comply with its policies and the statutory requirements for annexation.

FISCAL IMPACT

The developer intends to construct high-density residential housing on this property in conjunction with adjacent recently annexed property. Given this information, there will be utility refunds associated with the development based on the number of erc's (equivalent residential connections). However, sufficient information is not available at this time to project future property tax and utility revenues.

Dinah Hart
Administrative Services Manager/DMA

Anita R. Favors
City Manager

For Information, please contact: Dinah Hart, ext.8209

ITEM TITLE: Introduction of Ordinance #03-O-34 Summer Chase/Gearhart Road Voluntary Annexation

SUPPLEMENTAL MATERIAL/ISSUE ANALYSIS

HISTORY/FACTS & ISSUES

The owner of one parcel (Tax ID #2117204090000) containing approximately 9 acres, located north of Gearhart Road and west of Mission Road, has petitioned for annexation into the City. This property is adjacent to a larger parcel recently annexed into the City and is part of the Huntington Woods DRI. Along with the recently annexed parcel, the owner plans to construct high-density residential units on the property. The property is within the Urban Services Area. Approval of the annexation would support the Annexation Goals as identified in the Comprehensive Plan and the annexation strategy adopted by the City Commission.

STATEMENT OF URBAN SERVICES

I. Introduction

The purpose of this statement is to provide information on the land use compatibility and level of urban services that will be provided to the proposed Summer Chase/Gearhart Road annexation.

II. Land Use

The area proposed for annexation consists of approximately 9 acres and is located within the Urban Services Area (USA). According to the Planning Department, the property is located in the Mixed Use land use category on the Future Land Use Map. The Official Zoning Atlas indicates that the current zoning is R-3 and is part of the Huntington DRI. Pre-application materials received by the Planning Department indicate that multi-family development is being proposed on this parcel and a rezoning to the MR-1 district is necessary to establish the appropriate development standards. Leon County Property Appraiser's Records show no structures on site.

Staff has reviewed the proposed annexation (Tax ID number 21-17-20-409-0000). The information required in Intergovernmental Element Policy 2.1.4 was not supplied to the Planning Department for their review. The Department could find the proposal consistent with the Comprehensive Plan, subject to the following provisions being met:

- The annexation is in accordance with the requirements of Chapter 172, Florida Statutes as set forth in Policy 2.1.4[I].
- The plan for annexation shall be provided by the City Manager to the County Administrator and the Board of County Commissioners at the time it is provided to the City Commission. All procedures for review and comment on the annexation as set forth in Policy 2.1.4[I] shall be followed.
- The City shall provide information as to how it will provide full urban services to the area to be annexed pursuant to Policy 2.1.1 {I}.
- A description of how land use compatibility will be ensured, pursuant to Policy 2.1.4(a)[I].
- A description of how facilities will be provided and by which entity, pursuant to Policy 2.1.4(b)[I].

- A description of how the level of service standards will be maintained consistent with the Comprehensive Plan, pursuant to Policy 2.1.4 (c)[I].
- The amount of any agreed upon water and/or sewer rebate that will be due to the petitioner, pursuant to Policy 2.1.4(d)[I].

The following is provided as additional information related to this site:

- This property is within the old Huntington Woods Development of Regional Impact (DRI).
- The Official Zoning Atlas indicates that the current zoning is R-3, this allows up to 8 units per acre single family or attached residential units. As was the case with the property immediately to the west of the subject property, a rezoning to MR-1 will be required in order to establish development standards for the anticipated multi-family development. Pre-application materials received by the Planning Department have indicated that multi-family development is being proposed on this parcel and a rezoning to the MR-1 district is necessary to establish the appropriate development standards.
- There was some question regarding the need for a Notice of Proposed Change (NOPC) to the DRI if the property is annexed into the City. Information from the City Growth Management Department suggests this will not be a concern based on the previous Huntington Woods NOPC. It states that if a property annexes and develops according to the use and density or intensity set forth in the Leon County Development Order, no NOPC will be necessary. However, the annexing party must record a Notice of Annexation with the Clerk of the Circuit Court. The notice shall include the legal description of the annexed property.
- There are environmentally sensitive areas on this property. A portion of this property is within a 100-year floodplain. All but a small portion of the property is within the special development zone for the Fred George Basin. This special development zone does not allow any development below the 110 foot elevation and 75% of the property in the A zone (108 feet) must be left in a natural state. Although this property does have development potential based on the previously approved DRI, staff would be remiss in not pointing out the practical limitations of this site based on the wetlands, floodplains and other environmental features.

Concurrency

Not knowing the full extent of development, Growth Management staff has indicated that they are unable to tell if the developer will have extensive concurrency problems. However, there appears to be a possible restriction on Mission Rd. eastbound at the intersection with Fred George Rd. which may only allow for an additional 32 trips.

Status of Permits

No permits have been issued to date.

III. Urban Services

The level of urban services that may be provided to the area proposed for annexation will be consistent with the level provided to areas within the City.

- Fire Protection Service – The City provides fire protection on an area wide basis. In the corporate limits, the fire department responds to alarms within an average of four (4) minutes. Fire Station #8 at 2543 Hartsfield Road can provide fire and emergency services to this area.

- B. Police Protection Service – Tallahassee maintains a comprehensive law enforcement program. The full range of these services will be provided to the area upon annexation.
- C. Street Maintenance and Right of Way Service – The City will assume responsibility for maintaining city-owned streets upon annexation. The City has a comprehensive public street construction program.
- D. Traffic Planning and Control – The maintenance of street signs, pavement markings, and traffic signals on city-owned streets will be assumed by the City upon annexation.
- E. Street Lighting – Tallahassee has a comprehensive program for the installation and maintenance of streetlights. Since this area is presently undeveloped, there will be no immediate cost for street lighting. However, to provide some comments that may be useful in determining the City's future cost to install lights, but not knowing exactly what will be developed on the site, we made an assumption about the length of street and number of lights. We estimate the cost to install street lights at about \$20,000.
- F. Parks and Recreation Services – The City provides a comprehensive Parks and Recreation program and system of parks for its citizens. In noting that the subject property is to be developed for "high density residential units", it is of importance to note that the Northwest Park tract was purchased in 1996 to satisfy the need for active recreation facilities in this quadrant of the community, driven by previous annexations in this area. The Northwest quadrant is behind only the Northeast in terms of total population (51,711 in 2000), and is projected to remain in this position through at least 2020. There is a very high percentage of young families with children in this quadrant due to the rapid development of affordable housing in surrounding neighborhoods. In the primary census tracts in this area, 34.4% of all households are families with children under the age of 18, as compared with the county average of 27.2%. In this same area, children comprise 24.7% of the population, or 3,649 youth under the age of 18. If this property is to be annexed and developed, consideration should be given to developing the Northwest Park to satisfy both the current and future needs of this quadrant.
- G. Bus Service – The City owns and operates a public transit system. Annually, a system-wide analysis is performed to evaluate bus service within all areas of the corporate limits. Taltran currently provides service along Mission Road, which intersects with Gearhart Road approximately one block from this property. Additionally, the Dial-a-Ride program, a specialized transportation service for citizens who are disabled, will be extended to this area upon annexation. The Dial-a-Ride program is also available to citizens over the age of 60 on a space available basis. Given the plans for a residential development, expansion of service to this area may impact the Dial-a-Ride program at such time that the property is developed.
- H. Electric Service – The City currently provides electric service to this area. Extension of electric service to new customers in the area will be in accordance with established policy and other utility agreements.
- I. Water and Sewer Service – Water and Sewer are available. Easements may be required for access to the sewer. Also depending on the layout a sanitary sewer lift station may be required. If the property annexed it would be eligible for refunding in accordance with Ordinance No. 97-0-0063, the amount to be reimbursed for on-site water and sewer construction shall be \$600 per

residential equivalent for water and \$1200 per residential equivalent for sewer or the actual per residential equivalent cost for sewer or the actual per residential equivalent cost for water and sewer, whichever is less. Ten percent of the total amount as calculated for reimbursement shall be transferred to the Affordable Housing Trust Fund (#105) and 90% of the total amount as calculated for reimbursement shall be paid to the developer or assignee. Reimbursement of approved on-site water and sewer extensions shall be made annually within 30 days after the thirtieth day of September for half of the per residential equivalent cost as noted above for those residential units for which permanent water, sewer and electric services have been connected.

- J. Gas Service – The City generally provides natural gas to a site when requested and after a feasibility analysis.
- K. Stormwater Service – Stormwater services to the area will be provided at the same level as currently provided to areas within the City.
- L. Solid Waste Service – Solid waste collection and disposal services will be provided by the City upon annexation.

OPTIONS

Option 1 – Introduce Voluntary Annexation Ordinance # 03-O-34 Summer Chase/Gearhart Road and set public hearing date for June 25, 2003.

Option 2 – Set another date for public hearing.

Option 3 – Do not proceed with the proposed voluntary annexation.

RECOMMENDATION

Option 1 – Introduce Voluntary Annexation Ordinance # 03-O-34 Summer Chase/Gearhart Road and set public hearing date for June 25, 2003.

ATTACHMENTS/REFERENCES

Attachment 1 – Proposed Ordinance #03-O-34

ORDINANCE NO. 03-O-34

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA, AMENDING CHAPTER SIX OF THE CHARTER OF THE CITY OF TALLAHASSEE, TO ANNEX WITHIN THE CORPORATE AREA OF THE CITY OF TALLAHASSEE, FLORIDA, UPON ADOPTION OF SAID ORDINANCE, PROPERTY BEING SITUATED IN LEON COUNTY, FLORIDA, IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, there has been filed with the City of Tallahassee, Florida, a petition containing the names and signatures of all of the property owners in the area described hereinafter requesting annexation into the corporate area of the City of Tallahassee, Florida; and,

WHEREAS, it has been determined that the property described hereinafter is reasonably compact and contiguous to the corporate area of the City of Tallahassee, Florida, and it has further been determined that the annexation of said property will not result in the creation of any pocket or enclave; and,

FURTHER WHEREAS, the City of Tallahassee, Florida, is in a position to provide municipal services to the property described herein, and that the City Commission of the City of Tallahassee, Florida, deems it in the best interest of the City to accept said petition and to annex said property.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF TALLAHASSEE, FLORIDA:

Section 1. That the property described below, situated in Leon County, Florida, be and the same is hereby annexed to and made a part of the City of Tallahassee, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes, to wit:

SUMMER CHASE / GEARHART ROAD

COMMENCE at the intersection of the southerly right-of-way boundary line of Fred George Road with the westerly right-of-way boundary line of Seaboard Coast Line Railroad; thence run Southeasterly, along said westerly right-of-way boundary as follows: South 16 degrees 40 minutes 33 seconds East 45.56 feet to the point of curve to the left having a radius of 2951.06 feet; thence Southeasterly, along the arc of said curve through a central angle of 23 degrees 10 minutes 50 seconds for an arc distance of 1193.92 feet (the chord of said curve bears South 28 degrees 15 minutes 58 seconds for 1185.80 feet); thence South 39 degrees 51 minutes 23 seconds East 994.04 feet to the point of curve to the right having a radius of 1351.99 feet; thence Southeasterly, along the arc of said curve through a central angle of 35 degrees 32 minutes 28 seconds for an arc distance of 838.65 feet (the chord of said curve bears South 22 degrees 05 minutes 09 seconds East for 825.27 feet) to an intersection with the northerly boundary line of that parcel described in Official Record Book 2491, Page 468 (Tax I.D. 2117204090000) of the Public Records of Leon County, Florida, for the **POINT OF BEGINNING**. From said **POINT OF BEGINNING** thence continue along said westerly right-of-way boundary and said curve having a radius of 1353.18 feet through a central angle of 09 degrees 22 minutes 55 seconds for an arc distance of 221.58 feet (the chord of said curve bears South 00 degrees 31 minutes 52 seconds West for 221.33 feet); thence, continue along said westerly right-of-way boundary, South 05 degrees 22 minutes 38 seconds West 1079.45 feet to an intersection with the northerly right-of-way boundary of Gearhart Road; thence, along said northerly right-of-way boundary; North 89 degrees 20 minutes 21 seconds West 224.64 feet to the southeast corner of that parcel identified as Tax I.D. 2117204010000 (Official Record Book 1050, Page 2186); thence, along the easterly boundary of said Tax I.D. 2117204010000 parcel, North 00 degrees 08 minutes 56 seconds East 1319.54 feet to the northeast corner of said last referenced parcel; thence, along the northerly boundary line of said subject property, South 89 degrees 30 minutes 28 seconds East 324.66 feet to the **POINT OF BEGINNING**, containing 9.64 acres, more or less.

Section 2. That upon this ordinance becoming effective, the property owners and any resident on the property described herein shall be entitled to all the rights and privileges and immunities as are from time to time granted to residents and property owners of the City of Tallahassee, Florida, as further provided in Chapter 171, Florida Statutes, and shall further be subject to the responsibilities of residence or ownership as may from time to time be determined

by the governing authority of the City of Tallahassee, Florida, and the provisions of said Chapter 171, Florida Statutes.

Section 3. If any section or portion of a section of this ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to impair the validity, force, or effect of any other section or part of this ordinance.

Section 4. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby revoked.

Section 5. That this ordinance shall become effective immediately upon its passage and adoption.

INTRODUCED in the City Commission on the ____ day of _____, 2003

PASSED the City Commission on the ____ day of _____, 2003

JOHN R. MARKS III, Mayor

ATTEST:

GARY HERNDON
City Treasurer-Clerk

APPROVED AS TO FORM:

JAMES R. ENGLISH
City Attorney